IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2772 of 2003

Subhashnagar Arihant Shop Owners
Co-operative Society Limited.....Petitioner

Versus

The Maharashtara Housing and Area
Development Authority and Ors. .....Respondents

Mr.K.D. Jha i/b. S.S. Lanke, for the Petitioner
Mr. N. Pandit, AGP for Respondents.

CORAM: F.I. REBELLO & S.P.KUKDAY, JJ.
DATE : 19th April,2005

. The reliefs as sought for in prayer clauses (b) and (c) are for specific performance and for damages. Prayers (d) and (e) are consequential. Prayer (f) considering the afidavit filed by the respondent Nos. 1 to 3 raises disputed questions of fact. Prayer clauses (g) and (h) again raises disputed questions between the petitioner and the respondents as also prayer (i). In the light of that this will not be a fit case for this Court to exercise the extra ordinary jurisdiction. It will be open to the petitioner, if still advised, to vendilate their grievance before a proper legal forum. With the above observations Writ Petition rejected.

(F.I. REBELLO, J.)

(S.P. KUKDAY, J.)